

- b) a second portion overlying the first portion, wherein said insulative layer surrounds a sidewall of said second portion; and
- c) a third portion overlying said second portion and at least a portion of said insulative layer, wherein said first portion and said second portion are different materials.

34. (Amended) An dynamic random access memory device[,], comprising:
a capacitor which comprises:

- a) a first portion formed in an insulative layer;
- b) a second portion overlying the first portion, wherein said insulative layer surrounds a sidewall of said second portion; and
- c) a third portion overlying said second portion and at least a portion of said insulative layer, wherein said first portion and said second portion are different materials.

39. (Amended) An electrode[,] ~~comprising:~~

- a) a first portion formed in an insulative layer;
- b) a second portion overlying the first portion, wherein said insulative layer surrounds a sidewall of said second portion; and
- c) a third portion overlying said second portion and extending above an upper surface of said insulative layer, wherein said first portion and said second portion are different materials.

48. (Amended) A dynamic random access memory device(,) comprising:
an electrode which comprises:

- a) a first portion formed in an insulative layer;
- b) a second portion overlying the first portion, wherein said insulative layer surrounds a sidewall of said second portion; and

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- Pub. H2 mid.*
- c) a third portion overlying said second portion and extending above an upper surface of said insulative layer, wherein said first portion and said second portion are different materials.

- Pub. H3*
51. (Amended) A dynamic random access memory device[,] comprising:
a capacitor which comprises:
- a) a first portion formed in an insulative layer;
 - b) a second portion overlying the first portion, wherein said insulative layer surrounds a sidewall of said second portion; and
 - c) a third portion overlying said second portion and extending above an upper surface of said insulative layer, wherein said first portion and said second portion are different materials.

- Pub. H4*
56. (Amended) An electrode[,] comprising:
- a) a contact formed in an insulative layer;
 - b) a diffusion barrier portion overlying said contact, said insulative layer surrounding a sidewall of said diffusion barrier portion; and
 - c) an oxidation resistant portion overlying said diffusion barrier portion and extending above an upper surface of said insulative layer, said diffusion barrier portion configured to inhibit diffusion of atoms between said contact and said oxidation resistant portion.

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80. (Amended) A method for fabricating an electrode, comprising [the following steps]:
- a) forming an electrically insulative layer overlying a substrate;
 - b) masking the insulative layer to define a future opening in the insulative layer;
 - c) etching the insulative layer in an exposed region to form the opening and to expose the substrate;
 - d) forming a contact to the substrate in the opening;
 - e) recessing a top surface of the contact from a surface of the insulative layer;
 - f) forming a diffusion barrier layer overlying the contact;

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- g) removing portions of the diffusion barrier layer overlying the insulative layer;
- h) forming a conductive oxidation resistant layer overlying the diffusion barrier layer;
- i) removing portions of the conductive oxidation resistant layer overlying the insulative layer; and
- j) removing upper portions of the insulative layer to expose an upper sidewall of the conductive oxidation resistant layer, wherein said conductive oxidation resistant layer, said diffusion barrier layer, and said contact form the electrode.

81. (Amended) The method as specified in Claim 80, [where said step of] wherein forming an electrically insulative layer comprises [the following steps]:

- a) depositing a first portion of said insulative layer to overlie said substrate; and
- b) depositing a second portion of said insulative layer to overlie said first portion of said insulative layer, said second portion of said insulative layer having oxidation resistant properties.

82. (Amended) The method as specified in Claim 80, further comprising [the following steps]:

- a) creating a dielectric layer overlying the conductive oxidation resistant layer; and
- b) creating a further electrode overlying the dielectric layer.

84. (Amended) The method for fabricating an electrode, comprising [the following steps]:

- a) forming a contact overlying and in electrical contact with a substrate;
- b) interposing a diffusion barrier layer between the contact and a conductive oxidation resistant layer, at least said diffusion barrier layer and said conductive oxidation resistant layer forming an electrode of said capacitor;
- c) encompassing a sidewall of said diffusion barrier layer with an insulative layer, said insulative layer prohibited from overlying and underlying said diffusion barrier layer; and
- d) encompassing a bottom portion of a sidewall of said conductive oxidation

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resistant layer with the insulative layer, a top portion of the sidewall extending above the insulative layer.

85. (Amended) The method as specified in Claim 84, further comprising [the following steps]:

- a) forming a dielectric layer overlying said conductive oxidation resistant layer;
- b) applying a temperature capable of oxidizing said diffusion barrier layer;
- c) preventing oxidation of said diffusion barrier layer during said [step of] applying; and
- d) forming a further electrode overlying said dielectric layer.

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87. (Amended) The method as specified in Claim 84, further comprising [the following steps]:

- a) depositing said insulative layer to overlie said substrate prior to said [step of] forming the contact;
- b) patterning said insulative layer to define a future opening; and
- c) removing a portion of said insulative layer to create the opening in said insulative layer in which to form the contact.